



2754
#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gitis et al.
Assignee: Maxtor Corporation
Title: MAGNETIC HEAD SLIDER WITH RESISTANCE TO DEBRIS
ACCUMULATION
Serial No.: 09/491,284 Filed: January 26, 2000
Examiner: Ometz, D. Group Art Unit: 2754
Atty. Docket No.: 3123-149-1

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

RECEIVED
SEP 28 2000
TC 2700 MAIL ROOM

RESPONSE

Dear Sir:

This is in response to the Office Action dated September 11, 2000.

I. RESTRICTION REQUIREMENT

In the outstanding Office Action, the Examiner asserts that the application contains claims directed to the following patentably distinct species of the claimed invention: Group I, Figures 3A-4B; Group II, Figures 5A-6C. The Examiner also asserts that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon.

Applicant identifies the claims as follows:

<u>Group</u>	<u>Claims</u>
I	1-4 and 10-39
II	5-9 and 40-69



Applicant hereby provisionally elects Group I with traverse.

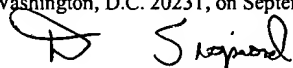
Applicant requests reconsideration of the restriction requirement. Independent claim 1 is directed to a recording head for reading and writing information with respect to a rotating disk medium. Independent claims 5, 10 and 40 are directed to a slider.

There must be a serious burden on the examiner if the restriction is required (M.P.E.P. § 803). Where the related inventions as claimed are shown to be distinct, the Examiner, in order to establish reasons for insisting upon restriction, must show by appropriate explanation one of the following: (A) separate classification thereof; (B) a separate status in the art when they are classifiable together; or (C) a different field of search (M.P.E.P. § 808.02).

The Examiner has not even attempted to explain how examining Groups I and II would pose a serious burden (M.P.E.P. § 803), much less how these Groups would involve separate classification, separate status in the art, or a different field of search (M.P.E.P. § 808.02).

Accordingly, Applicant respectfully requests that the restriction requirement be withdrawn.

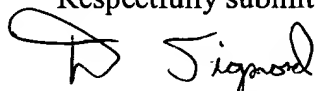
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on September 19, 2000.



David M. Sigmond
Attorney for Applicant

9/19/00
Date of Signature

Respectfully submitted,



David M. Sigmond
Attorney for Applicant
Reg. No. 34,013
(303) 702-4132
(303) 678-3111 (fax)